

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN**

APPLE, INC.,	)	
	)	
Plaintiff and Counterclaim	)	
Defendant,	)	
v.	)	Case No. 11-cv-178-bbc
	)	
MOTOROLA MOBILITY, INC.,	)	Hon. Barbara B. Crabb
	)	
Defendant and Counterclaim	)	
Plaintiff.	)	

**MOTOROLA MOBILITY, LLC'S NOTICE OF APPEAL**

Notice is hereby given that pursuant to Fed. R. App. P. 4(a)(3), Motorola Mobility, LLC ("Motorola")<sup>1</sup>, defendant and counterclaim plaintiff in the above named case, hereby cross-appeals to the United States Court of Appeals for the Federal Circuit from the final judgment entered in this action on December 5, 2012 (Dkt. 510) and the portions of all orders underlying that judgment that were adverse to Motorola. This includes, without limitation, an appeal of: (1) the portions of the Court's August 10, 2012 summary judgment order (Dkt. 194) that were adverse to Motorola; and (2) the Court's November 28, 2012 order (Dkt. 509) to the extent it dismissed Apple's counts 1-4, 7, and 11-12 without prejudice, as opposed to with prejudice.

Motorola respectfully disputes that the Court of Appeals for the Federal Circuit has jurisdiction over any of the claims in this case, and believes that Apple's appeal must have been filed, if at all, with the United States Court of Appeals for the Seventh Circuit. Motorola intends to promptly file a motion to dismiss and/or transfer for lack of jurisdiction. *See* Fed. Cir. R. 27(f).

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<sup>1</sup> Motorola Mobility, LLC (f/k/a Motorola Mobility, Inc.) is a wholly-owned subsidiary of Google Inc.

DATED: January 18, 2013

Respectfully submitted,

MOTOROLA MOBILITY, LLC

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**CERTIFICATE OF SERVICE**

I, David M. Elihu, an attorney, do hereby certify that I caused a copy of the foregoing to be electronically filed with the Court and served on all parties on this the 18th day of January, 2013.

/s/ David M. Elihu  
David M. Elihu